



General Assembly

Amendment

January Session, 2009

LCO No. 7308

SB0108007308SR0

Offered by:

SEN. FASANO, 34th Dist.

SEN. CRISCO, 17th Dist.

To: Subst. Senate Bill No. 1080

File No. 606

Cal. No. 425

**"AN ACT CONCERNING ACCESS TO HEALTH AND NUTRITIONAL
INFORMATION IN RESTAURANTS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2009*) Any allopathic or
4 osteopathic physician, licensed under the provisions of chapter 370 of
5 the general statutes; chiropractor, licensed under the provisions of
6 chapter 372 of the general statutes; or natureopath, licensed under the
7 provisions of chapter 373 of the general statutes, shall provide a
8 discharge summary to a patient upon the performance of a procedure,
9 adjustment or manipulation for the treatment of vertebral subluxations
10 or malpositioned articulations. The discharge summary required
11 pursuant to this section shall be provided once, on an annual basis, to
12 any patient who receives such procedure, adjustment or manipulation,
13 at the time of such patient's initial visit during the calendar year to the
14 offices of an allopathic or osteopathic physician, chiropractor or
15 natureopath. For purposes of this section, "discharge summary" means

16 the provision of written notification to a patient of the risks associated
17 with such procedure, adjustment or manipulation, including, but not
18 limited to, risk of stroke, permanent disability or death and
19 instructions upon the occurrence of medical conditions incident to
20 those risks.

21 Sec. 502. Section 20-29 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective October 1, 2009*):

23 The Board of Chiropractic Examiners may take any of the actions set
24 forth in section 19a-17 for any of the following reasons: The
25 employment of fraud or deception in obtaining a license, habitual
26 intemperance in the use of ardent spirits, narcotics or stimulants to
27 such an extent as to incapacitate the user for the performance of
28 professional duties, violation of any provisions of this chapter or
29 regulations adopted [hereunder] pursuant to this chapter, engaging in
30 fraud or material deception in the course of professional services or
31 activities, failure to provide a written discharge summary upon the
32 performance of a procedure, manipulation or treatment pursuant to
33 section 501 of this act, physical or mental illness, emotional disorder or
34 loss of motor skill, including but not limited to, deterioration through
35 the aging process, illegal, incompetent or negligent conduct in the
36 practice of chiropractic, or failure to maintain professional liability
37 insurance or other indemnity against liability for professional
38 malpractice as provided in subsection (a) of section 20-28b. Any
39 practitioner against whom any of the foregoing grounds for action
40 under said section 19a-17 are presented to said board shall be
41 furnished with a copy of the complaint and shall have a hearing before
42 said board. The hearing shall be conducted in accordance with the
43 regulations established by the Commissioner of Public Health. Said
44 board may, at any time within two years of such action, by a majority
45 vote, rescind such action. The Commissioner of Public Health may
46 order a license holder to submit to a reasonable physical or mental
47 examination if his physical or mental capacity to practice safely is the
48 subject of an investigation. Said commissioner may petition the
49 superior court for the judicial district of Hartford to enforce such order

50 or any action taken pursuant to section 19a-17.

51 Sec. 503. Section 20-29 of the general statutes, as amended by section
52 2 of public act 08-109, is repealed and the following is substituted in
53 lieu thereof (*Effective January 1, 2010*):

54 The Board of Chiropractic Examiners may take any of the actions set
55 forth in section 19a-17 for any of the following reasons: The
56 employment of fraud or deception in obtaining a license, habitual
57 intemperance in the use of ardent spirits, narcotics or stimulants to
58 such an extent as to incapacitate the user for the performance of
59 professional duties, violation of any provisions of this chapter or
60 regulations adopted [hereunder] pursuant to this chapter, engaging in
61 fraud or material deception in the course of professional services or
62 activities, failure to provide a written discharge summary upon the
63 performance of a procedure, manipulation or treatment pursuant to
64 section 501 of this act, physical or mental illness, emotional disorder or
65 loss of motor skill, including, but not limited to, deterioration through
66 the aging process, illegal, incompetent or negligent conduct in the
67 practice of chiropractic, failure to maintain professional liability
68 insurance or other indemnity against liability for professional
69 malpractice as provided in subsection (a) of section 20-28b, or failure to
70 provide information to the Department of Public Health required to
71 complete a health care provider profile, as set forth in section 20-13j.
72 Any practitioner against whom any of the foregoing grounds for action
73 under said section 19a-17 are presented to said board shall be
74 furnished with a copy of the complaint and shall have a hearing before
75 said board. The hearing shall be conducted in accordance with the
76 regulations established by the Commissioner of Public Health. Said
77 board may, at any time within two years of such action, by a majority
78 vote, rescind such action. The Commissioner of Public Health may
79 order a license holder to submit to a reasonable physical or mental
80 examination if his physical or mental capacity to practice safely is the
81 subject of an investigation. Said commissioner may petition the
82 superior court for the judicial district of Hartford to enforce such order
83 or any action taken pursuant to section 19a-17.

84 Sec. 504. Section 20-40 of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective October 1, 2009*):

86 Said department may refuse to grant a license to practice
87 natureopathy or may take any of the actions set forth in section 19a-17
88 for any of the following reasons: The employment of fraud or material
89 deception in obtaining a license, habitual intemperance in the use of
90 ardent spirits, narcotics or stimulants to such an extent as to
91 incapacitate the user for the performance of professional duties,
92 violations of the provisions of this chapter or regulations adopted
93 [hereunder] pursuant to this chapter, engaging in fraud or material
94 deception in the course of professional services or activities, failure to
95 provide a written discharge summary upon the performance of a
96 procedure, manipulation or treatment pursuant to section 501 of this
97 act, physical or mental illness, emotional disorder or loss of motor skill,
98 including but not limited to, deterioration through the aging process,
99 illegal, incompetent or negligent conduct in his practice, or failure to
100 maintain professional liability insurance or other indemnity against
101 liability for professional malpractice as provided in subsection (a) of
102 section 20-39a. Any applicant for a license to practice natureopathy or
103 any practitioner against whom any of the foregoing grounds for
104 refusing a license or action under said section 19a-17 are presented to
105 said board shall be furnished with a copy of the complaint and shall
106 have a hearing before said board in accordance with the regulations
107 adopted by the Commissioner of Public Health. The Commissioner of
108 Public Health may order a license holder to submit to a reasonable
109 physical or mental examination if his physical or mental capacity to
110 practice safely is the subject of an investigation. Said commissioner
111 may petition the superior court for the judicial district of Hartford to
112 enforce such order or any action taken pursuant to section 19a-17.

113 Sec. 505. Section 20-40 of the general statutes, as amended by section
114 3 of public act 08-109, is repealed and the following is substituted in
115 lieu thereof (*Effective January 1, 2010*):

116 Said department may refuse to grant a license to practice

117 natureopathy or may take any of the actions set forth in section 19a-17
118 for any of the following reasons: The employment of fraud or material
119 deception in obtaining a license, habitual intemperance in the use of
120 ardent spirits, narcotics or stimulants to such an extent as to
121 incapacitate the user for the performance of professional duties,
122 violations of the provisions of this chapter or regulations adopted
123 [hereunder] pursuant to this chapter, engaging in fraud or material
124 deception in the course of professional services or activities, failure to
125 provide a written discharge summary upon the performance of a
126 procedure, manipulation or treatment pursuant to section 501 of this
127 act, physical or mental illness, emotional disorder or loss of motor skill,
128 including, but not limited to, deterioration through the aging process,
129 illegal, incompetent or negligent conduct in his practice, failure to
130 maintain professional liability insurance or other indemnity against
131 liability for professional malpractice as provided in subsection (a) of
132 section 20-39a, or failure to provide information to the Department of
133 Public Health required to complete a health care provider profile, as
134 set forth in section 20-13j. Any applicant for a license to practice
135 natureopathy or any practitioner against whom any of the foregoing
136 grounds for refusing a license or action under said section 19a-17 are
137 presented to said board shall be furnished with a copy of the
138 complaint and shall have a hearing before said board in accordance
139 with the regulations adopted by the Commissioner of Public Health.
140 The Commissioner of Public Health may order a license holder to
141 submit to a reasonable physical or mental examination if his physical
142 or mental capacity to practice safely is the subject of an investigation.
143 Said commissioner may petition the superior court for the judicial
144 district of Hartford to enforce such order or any action taken pursuant
145 to section 19a-17."